IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 651 of 2005

Between:

Kum. Jagadabhi Aruna Kumari, D/o. Chenchu Raju,
R/o. Wynchpeta, Vijayawada. **..... PETITIONER**

AND

1 The Chief Manager, South Central Railway, Rail Nilayam, Secunderabad.
2 Senior Divisional Commercial Manager, Divisional Office, Commercial Branch, South Central Railway, Vijayawada
3 Railway Board, Rep by its Executive Director (Passengers Marketing), New Delhi.
4 P.N. Kishore, S/o. Sivaiah, Commercial Supervisor, Railway Divisional Office (Commercial), South Central Railway, Vijayawada.
5 J. Yona Babu, S/o. J. Krupa Rao, C/o. Gokanakona Koteswara Rao, Petiurivaripalem Post, Narasaraopet Mandal, Guntur District.
6 M. Satyanarayana, Father's name and age not known, D.No. 694, Jeseph Street, Poomanandampet, Vijayawada.
7 P. Rajani, S/o. Sivaiah, Commercial Supervisor, Railway Divisional Office (Commercial), South Central Railway, Vijayawada.
8 P. Sivaiah, Commercial Supervisor, Railway Divisional Office (Commercial), South Central Railway, Vijayawada.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction, declaring the action of respondents 1 to 3 in allotting telephone booths to the respondents 4 to 7 contrary to the policy Circulars issued by the 3rd respondent as illegal and consequently (1) to direct the respondents 1 to 3 to cancel the allotments made in favour of respondents 4 to 7 as the same is contrary to the guidelines framed by the Ministry of Railways and Railway Board and (2) to allot a telephone booth in favour of the petitioner pursuant to the Tender Application dated 1-10-2003 in accordance with the Rules and guidelines framed by the Ministry of Railways and 3rd respondent.

For the Petitioner: MR.N.SUBBA RAO, Advocate.

For the Respondent Nos.1 to 3: MR.C.V. Vinitha Reddy, SC for South Central Railway

For the Respondent Nos.4 to 8: --

The Court at the stage of admission made the following :

ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel for South Central Railway and with their consent the writ petition itself is disposed of at the stage of admission.

The petitioner claims to have submitted tender forms in pursuance of the Tender Notice issued by the second respondent for allotment of STD/ISD/PSO/Fax/Internet Booths in the railway stations mentioned therein. She states that the tenders were processed contrary to the guidelines framed by the Ministry of Railways, and the telephone booths were allotted irregularly to the ineligible persons. Her grievance is that though she got issued a notice, dated 03-01-2005 to the General Manager, South Central Railway, Rail Nilayam, Secunderabad bringing to his notice the irregularities committed by the authorities in processing the tenders, and calling upon him to enquire into the matter, no action has been taken in the matter. Hence, the writ petition.

Having regard to the facts and circumstances of the case, respondent No.1-Chief Manager, South Central Railway, Rail Nilayam, Secunderabad, is directed to consider the notice dated 03-01-2005, said to have been issued by the petitioner and pass appropriate orders thereon in accordance with law.

With the above direction, the writ petition is disposed of at the stage of admission.

N.V. RAMANA, J

Date: 25-01-2005

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To

1 The Chief Manager, South Central Railway, Rail Nilayam, Secunderabad.
2 Senior Divisional Commercial Manager, Divisional Office, Commercial Branch, South Central Railway, Vijayawada
3 The Executive Director (Passengers Marketing),Railway Board, New Delhi.

4 Two CD copies.